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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/646,802	10/17/2000	Petteri Putkiranta	042933/321132	1591
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ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000			EXAMINER HO, HUY C	
			ART UNIT	PAPER NUMBER
			2617	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/646,802

Applicant(s)

PUTKIRANTA, PETTERI

Examiner

HUY C. HO

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2007.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-12 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 22 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/C)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 5 recites the limitation "the" in memory means adapted so as to store the information.

There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 1-5 and 7-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Buhrmann et al. (5,950,125)** and further in view of **Hose (7,024,205)**.

Consider claim 1, (Currently Amended) Buhrmann discloses a communications system having base stations for providing mobile stations with communications links and at least one localized service area (**see the abstract**), comprising:

a service server which is arranged to maintain information concerning the location of mobile stations in localized service areas and to generate requests for changing the service selection offered to mobile stations in response to receiving, from the mobile stations, mobile station generated messages describing the location of the mobile stations in relation to localized service areas (**see the abstract, col 1 lines 64-67, col 2 lines 1-67**); and

means for changing the service selection offered to a mobile station by the communications system in response to an indication of the arrival of the mobile station in said localized service area, which indication is a message generated by said mobile station (**col 2 lines 1-67, col 3 lines 10-25**).

Buhrmann teaches the mobile device recognizes a local service area, i.e., the user zone, when it comes to the area (**see col 3 lines 13-16, col 16 lines 6-11, 23-28**), thus Buhrmann discloses an indication of arrival of the mobile device in the local service area, however, Buhrmann does not show the indication message is generated separately from the device. Hose teaches a method and system for providing subscriber delivered and personalized location-based services (**see the abstract**), in particular, Hose discloses a subscriber initiates a location-based service process by making a service request, which comprises identification information such as indication of the subscriber's location (**see col 1 lines 60-67, col 2 lines 25-45, col 7 lines 9-27, 60-67, col 7 lines 1-19**), thus Hose discloses a service request message is generated initially from a subscriber.

Since Buhrmann and Hose teach a location-based service system and method, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify teachings of Buhrmann and combining teachings of Hose a service request message is generated initially from a subscriber so as to improve the method and system discussed by Buhrmann (**see col 1 lines 5-60**).

Consider claim 5, (Currently Amended) Buhrmann discloses a cellular mobile station having a control block **(the abstract)**, comprising:

memory means adapted so as to store the information required for recognizing a localized service area on which localized services are controlled by a services server **(col 3 lines 10-17)**;

wherein the mobile station is adapted so as to send a notification of its arrival in the localized service area to the services server in response to the recognition of the localized service area, said notification being intended as an impulse for changing the service selection offered to the mobile station **(col 2 lines 1-67, col 3 lines 10-25)**.

Buhrmann teaches the mobile device recognizes a local service area, i.e., the user zone, when it comes to the area **(see col 3 lines 13-16, col 16 lines 6-11, 23-28)**, thus Buhrmann discloses an indication of arrival of the mobile device in the local service area, however, Buhrmann does not show the indication message is generated separately from the device. Hose teaches a method and system for providing subscriber delivered and personalized location-based services, in particular, Hose discloses a subscriber initiates a location-based service process by making a service request, which comprises identification information such as indication of the subscriber's location **(see col 1 lines 60-67, col 2 lines 25-45, col 7 lines 9-27, 60-67, col 7 lines 1-19)**, thus Hose discloses a service request message is generated initially from a subscriber.

Since Buhrmann and Hose teach a location-based service system and method, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify teachings of Buhrmann and combining teachings of Hose a service request message is generated initially from a subscriber so as to improve the method and system discussed by Buhrmann **(see col 1 lines 5-60)**.

Consider claim 7, (Currently Amended) Buhrmann discloses a method for changing the service selection offered to a mobile station in a communications system that has base stations for providing mobile stations with communications links **(the abstract)**, comprising ~~the steps of:~~

receiving from the mobile station a message that is indicating that the mobile station has detected that it is in the localized service area **(the abstract, col 1 lines 64-67, col 2 lines 1-67)**;

generating information about the arrival of a mobile station in a localized service area (col 1 lines 64-67, col 2 lines 1-67); and

changing the service selection offered to said mobile station by the communications system (col 2 lines 1-67, col 3 lines 10-25).

Buhrmann teaches the mobile device recognizes a local service area, i.e., the user zone, when it comes to the area (see col 3 lines 13-16, col 16 lines 6-11, 23-28), thus Buhrmann discloses an indication of arrival of the mobile device in the local service area, however, Buhrmann does not show the indication message is generated separately from the device. Hose teaches a method and system for providing subscriber delivered and personalized location-based services, in particular, Hose discloses a subscriber initiates a location-based service process by making a service request, which comprises identification information such as indication of the subscriber's location (see col 1 lines 60-67, col 2 lines 25-45, col 7 lines 9-27, 60-67, col 7 lines 1-19), thus Hose discloses a service request message is generated initially from a subscriber.

Since Buhrmann and Hose teach a location-based service system and method, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify teachings of Buhrmann and combining teachings of Hose a service request message is generated initially from a subscriber so as to improve the method and system discussed by Buhrmann (see col 1 lines 5-60).

Consider claim 2, (Previously Presented) Buhrmann, as modified by Hose, further discloses the communications system of claim 1, comprising:

an application server to provide mobile stations with different services in response to a request generated by the service server for changing the service selection (col 2 lines 1-67, col 3 lines 10-25).

Consider claim 3, (Previously Presented) Buhrmann, as modified by Hose, further discloses the communications system of claim 2, wherein said service server is the same as said application server (col 2 lines 1-67, col 3 lines 10-25).

Consider claim 4, (Previously Presented) Buhrmann, as modified by Hose, further discloses the communications system of claim 1, wherein it is adapted so as to change a localized service selection

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offered to a mobile station in response to a notification sent by the mobile station on its arrival in a localized service area (col 2 lines 1-67, col 3 lines 10-25).

Consider claim 8, (Previously Presented) Buhrmann, as modified by Hose, further discloses The method of claim 7, wherein in response to the information about the arrival of a mobile station in a localized service area a predetermined additional service is offered to the mobile station (col 2 lines 25-55, col 7 lines 15-67).

Consider claim 9, (Previously Presented) Buhrmann, as modified by Hose, further discloses The method of claim 8, wherein said additional service involves the sending of announcements to the mobile station (col 2 lines 25-55, col 7 lines 15-67).

Consider claim 10, (Previously Presented) Buhrmann, as modified by Hose, further discloses The method of claim 7, wherein in response to the information about the arrival of a mobile station in a localized service area the quantity of services offered to the mobile station by the communications system is reduced (col 9 lines 1-62).

Consider claim 11, (Currently Amended) Buhrmann, as modified by Hose, further discloses The method of claim 7, further comprising the ~~steps of:~~

communicating a message indicating the arrival of a mobile station in a localized service area to a service server (col 2 lines 1-67, col 3 lines 10-25);

checking what services should be offered to the mobile station in that localized service area (col 2 lines 1-67, col 3 lines 10-25);

communicating a request for the services to be offered to an application server providing the services (col 2 lines 1-67, col 3 lines 10-25); and

providing, by the application server, a service to the mobile station (col 2 lines 1-67, col 3 lines 10-25).

Consider claim 12, (Currently Amended) Buhrmann, as modified by Hose, further discloses the method of claim 11, wherein:

~~the step of communicating a request to an application server comprises the step of:~~

communicating the request for the services to be offered to at least two application servers providing services (col 2 lines 1-67, col 3 lines 10-25), and

~~the step of providing, by the application server, a service to the mobile station comprises the step of:~~

providing, by each application server to which the request for the services to be offered was made, a service to the mobile station (col 2 lines 1-67, col 3 lines 10-25).

6. **Claim 6** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Buhrmann et al. (5,950,125)** in view of **Hose (7,024,205)** and further in view of **Alperovich et al. (5,819,180)**.

Consider claim 6, (Previously Presented) Buhrmann, as modified by Hose, does not show the mobile station of claim 5, wherein said memory means is located in a removable memory unit. Alperovich teaches telecommunications network based upon mobile subscriber's location and discloses SIM card is used as a detachable memory for storing a user's information (see col 1 lines 15-35, col 3 lines 5-40), thus Alperovich discloses a memory located in a removable memory unit.

Since Buhrmann, Hose and Alperovich teach a telecommunication method and apparatus, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify teachings of Buhrmann, as modified by Hose and combining teachings of Alperovich a memory means is SIM detachable memory module so as to improve the device discussed by Buhrmann, as modified by Hose.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY C. HO whose telephone number is (571)270-1108. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on 571-272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Duc Nguyen/
Supervisory Patent Examiner, Art Unit 2617